

**Minutes of the Regular Meeting Of The  
New Jersey Maritime Pilot and Docking Commission  
April 19, 2016**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, April 19, 2016 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:17 AM.

Open Public Meeting Statement

Pledge of Allegiance

Announcement

Commissioner Timothy Dacey announced that the Commission does not have a quorum therefore actionable items will not be discussed but the Commission will proceed forward with informational agenda items.

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (absent); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (absent).

Approval of the March 22, 2016 Meeting Minutes

This item has been tabled.

Resolution #16-13 to approve the April 2016 Treasurers Report

This item has been tabled.

Executive Director's Report

- A. Retired Commissioner Richard Amster - Ms. Stuckey asked everyone to observe a moment of silence to honor the life of Retired Commissioner Richard Amster.

Commissioner Dacey and Ms. Stuckey attended the memorial service of Retired Commissioner Richard Amster. Ms. Stuckey reported that the service was very touching and the Commission received honorable mention several times during

the program. Commissioner Amster's family is planning a burial at sea which Sandy Hook has graciously agreed to host. Ms. Stuckey will work with the family to coordinate a date that is convenient for all to attend.

- B. ULCV Simulations - Captains Flannery and Schoenlank are both in Los Angeles researching the ULCV's. Captains John Oldmixon and John Miller are in attendance today to report on their behalf. A copy of the ULCV simulation literature was provided to the Commissioners. Ms. Stuckey advised that Captain Miller will give more details during the public comments session.
- C. Commission's Regulation & Annual Report - Ms. Stuckey was happy to report that she was able to finalize both the regulations and annual report. She submitted both to the Governor's Office for approval. A copy of the final drafts of both documents was provided to the Commissioners.

Ms. Stuckey stated there is no time constraint on the Annual Report but she would like to have it approved and distributed by June 30<sup>th</sup>, before the beginning of the new fiscal year.

The rule proposal is time sensitive. Ms. Stuckey would like to get the approval from the Rules Office in time for the Commission to vote on the proposal at the May 17<sup>th</sup> regular meeting. Once the veto period expires, the Commission can forward it to the Office of Administrative Law (OAL) for publication in the New Jersey Register. Ms. Stuckey believes if the Commission can get it to them by June 3<sup>rd</sup>, it will be published on July 5<sup>th</sup> and the 60 day comment period would expire on September 3<sup>rd</sup>. Ms. Stuckey would work to have the response to comments document done by the September 20<sup>th</sup> regular meeting. If the Commission does decide to make any changes, the process will be prolonged because it would have to go back to the Rules' Office for approval. If the process continues without any change keeping the veto period in mind, Ms. Stuckey thinks the Commission could get the rules back to OAL by October 14<sup>th</sup>; and they will be published and become effective on November 7<sup>th</sup>, four days before expiration. Ms. Stuckey will keep the Commissioners updated if she runs into any obstacles in the timeline.

- D. Hudson River Transport Jobs - The Commission has had one pilot participate in one transport job on the Hudson River.

Ms. Stuckey used the term "participate" because it was a recency trip and the pilot was not the pilot of record.

- E. Docking Pilot Test Committee - The Committee will hold its final meeting on April 26, 2016. Ms. Stuckey will have final copies of the exam modules for the Commissioner's review and approval at the May 17<sup>th</sup> meeting. Ms. Stuckey will make sure they receive them in enough time to review them before the meeting. A copy of an example of one complete exam was provided to the Commissioners.
  - F. Marine Society Annual Dinner - Commissioner Dacey, Commissioner Shisha, and Ms. Stuckey attended the Marine Society's Annual Dinner on April 11, 2016. Ms. Stuckey reported the dinner was well attended and scholarships equaling \$80,500 were presented to local maritime academies and students. Ms. Stuckey received positive feedback from those present regarding the attendance of the Commissioners. Everyone was happy to see some of the faces of the NJ Commission. Ms. Stuckey stated that unfortunately the Commissioners were not there as Commission representatives but as guest of the Taybak, Mellusi, and Shisha Law Firm. Ms. Stuckey advised that the New York Commissioners are always in attendance at these events therefore she proposed that the New Jersey Commissioners also be allowed to attend.
- Lisa LeBeouf advised Ms. Stuckey to submit all requests to her directly for consideration.
- G. Maritime Pilot Apprentice Selection Committee - The committee will meet on April 20<sup>th</sup>, 2016. The purpose of the meeting is to review the applications, select the numbers of candidates to interview and set interview dates. Ms. Stuckey will be in attendance.
  - H. Meeting with USCG Lt. Commander Eric Rivera - Ms. Stuckey reported that she will be meeting with the new head of Investigations at the Coast Guard, Lt. Commander Eric Rivera on May 4<sup>th</sup>. The Executive Director of the NY Commission, Frank Keane, will also be joining her. The purpose of the meeting is to ensure that the information sharing relationship continues.
  - I. Maritime Association Ballots - A copy of the ballots for the Maritime Association's upcoming election was provided to the Commissioners. Ms. Stuckey intends to send the

Commission's proxy to New York Executive Director Frank Keane since his office is located in the same building as the meeting location and he will attend the meeting.

- J. Teach Fleet Day - Ms. Stuckey reported that Seaman's Church Institute is hosting an event called "Teach Fleet" on May 9<sup>th</sup> and May 10<sup>th</sup>. It's a free interactive exhibit where Legos are being used to build ship models. The event is sponsored by the New York Shipping Association, American Merchant Marine Veterans, Seafarer's and International House and the Port Authority. Ms. Stuckey has agreed to serve as a host on May 9<sup>th</sup>.
- K. NJ Transit's Executive Director - A copy of the press release regarding NJ Transit's new Executive Director William Crosbie was included in the Commissioners' folders. He was scheduled to begin on April 26<sup>th</sup>, however there are issues with his contract so his arrival has been delayed.
- L. Maritime Association Dinner - The Maritime Association will hold its Annual Dinner on May 11, 2016. Ms. Stuckey has registered herself to attend and is hoping that some of the Commissioners will be able to attend as well.
- M. Articles of interests - Ms. Stuckey provided the Commissioners with several articles of interest.
  - "OOCL's LBCT handles first ship at new automated facility" - An article in the American Shipper, which discussed the first automated facility at Long Beach Container Terminal.
  - "February Posts Container, Rail, and Auto Growth at Port NY & NJ" - An article from Port Authority's Breaking Waves, which discussed record growths for the month of February specifically, container traffic is up 27.8 %; rail traffic is up 16.8%, and auto growth is up 15.4%.
  - "Raise the Roadway Project" - Ms. Stuckey also provided the Commissioner's with a copy of the first quarterly update on the Bayonne Bridge Project from the Port Authority, which Beth Rooney mentioned at the February meeting.
  - "Cost Reductions Announced at Port NY & NJ" - An article from the Port Authority Authority's Breaking Waves, which announced cost reductions in container charges for the ports of New York and New Jersey by 5.3%. Ms. Stuckey believes that this is being done to

attract new post-panamax clients as well as keep existing customers.

#### Public Comment(s)

Comment from Captain Jonathan Miller, Vice President Metro Pilots Association:

Captain Miller gave the Commission a brief summary of the literature he submitted on the study of Ultra Large Container Vessels. He then answered questions regarding the study. He also informed the Commission that the simulator training is still on track.

Commissioner Shisha mentioned he would like to see a chart/guide where New York and New Jersey pilot could refer to information as is done in Los Angeles.

Ms. Stuckey reported that she asked Captains Flannery and Schoenlank to provide the Commission with a report of their trip.

#### Presentation of Certificate of Appointment Russell Henschman

Apprentice Russell Henschman was presented with a Certificate of Appointment by Commissioner Dacey and Commissioner Shisha. He thanked the Commission and expressed his excitement to begin working.

#### Resolution #16-14 to Approve the 2015 Annual Report

Approval of Resolution #16-14 was tabled.

#### Committee Report

- A. Pension Surcharge Committee: Commissioner Shisha reported that although the surcharge is okay at the moment, the Committee expressed concerns over the decrease in vessel traffic. The current structure allows for large ships to get a discount on pilot units. It was suggested that a Committee be put together to initiate a study to determine the number of pilot units receiving discounts over the past 5-10 years and how it has affected collection rates. This study will help to determine a possible method to adjust the rates.
- B. Capital Improvements Committee: Commissioner Shisha reported that Sandy Hook is considering replacing the pilot

boats. They are trying to get the surcharge cap raised and has proposed legislation in New York. Commissioner Shisha is concerned about what Sandy Hook plans to do for the future with both boats getting old.

C. Investigation Committee:

- I. **Bomar Resilient** - March 9, 2016. This incident is still under investigation.
- II. **Aghai Skepi** - March 11, 2016. Captain Mark Clark recommended that the Commission find no fault on the part of the pilots, the file closed, and a copy of the report sent to the Coast Guard, the vessel owner, and the agent.  
Approval of Captain Clark's recommendations were tabled for next month's Board Meeting.
- III. **USCGC Tampa** - April 5, 2016. This incident is still under investigation.
- IV. **CSCL Africa** - April 5, 2016. This incident is still under investigation.
- V. **M/S Columbine Maersk** - April 5, 2016. This incident is still under investigation.
- VI. **CMA CGM Rabelais** - April 10, 2016. This incident is still under investigation.
- VII. **Stad Amsterdam** - April 9, 2016. This incident is still under investigation.

Ms. Stuckey also reported that the Bayonne Bridge netting has been adjusted. The new issue that is occurring is the crews are not retracting their antennas. Thanks to a recent incident where a pilot became irate during the master pilot exchange the issue became apparent. The Coast Guard is beginning to fine vessel owners for incidents where the pilot cards are not updated as the crew is not retracting antennas.

Ms. Stuckey updated the Commissioner on the incident with Captain Einhorn. The vessel that was involved in the accident left the port without reporting the incident so they are facing a fine from the Coast Guard.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:14 AM.